



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,800	06/30/2000	Chandrasekhar Narayanaswami	13576 (YOR9-2000-0226)	1158

7590 10/31/2003

Richard L Catania
Scully Scoot Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
----------	--------------

2674

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/607,800

Applicant(s)

NARAYANASWAMI,
CHANDRASEKHAR

Examiner

HENRY N. TRAN

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-11 and 14-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-11 and 14-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 17 June 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

This Office action is in response to the applicant's amendment received 10/6/03 (Paper No. 10). The amendments to the specification and the claims have been entered; and applicant's remarks were considered. Claims 1, 3-4, 6-11 and 14-27 are pending in this application. The indicated allowability of claims 16-27 is withdrawn in view of the newly discovered references to Mital (U.S. Patent 5,878,282) and Allport (U.S. Patent 6,256,019). Rejections based on the newly cited references follow.

Drawings

1. In order to avoid abandonment, the drawing informalities noted in Paper No. 3, mailed on 3/13/02, must now be corrected. Correction can only be effected in the manner set forth in the above noted paper.

Claim Rejections - 35 USC § 103

2. Claims 1, 4, 6, 7, 9, 14-16, 19-22 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mital (U.S. Patent 5,878,282).
3. Regarding claims 1, 4, 6-9 and 14-15, Mital teaches a personal pointing device 30 (a Portable Information Device 30) for enabling a user to interface with application program executing on a computer 12, the pointing device 30 comprising: a mechanism 60 (a CPU 60) for communicating with the computer 12; and a memory storage device, RAM 62 and ROM 64 for storing many user applications that comprises personalized customized user data or files, e.g. scheduling data, phone lists file, etc. transferred or downloaded from the computer 12, which is

Art Unit: 2674

read on the claimed "the first computing device"; wherein the pointing device 30 is portable, and is initiated for transferring or uploading the personalized customized user data or the updated customized user files back to the computer 12 for altering or updating the personalized customized user data, see figures 1, 3, 7-8, col. 3, lines 28-50, col. 4, lines 25-27, 46-57, col. 5, lines 18-28, and col. 9, lines 26-64. Although Mital does not teach expressly that the transferring or uploading is performed to a same user application executing on a second computing device for altering the user application. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of transfer the personalized customized user data or the updated customized user files back to the computer 12 as taught by Mital for transferring said files to a second computer which comprising a same user application executing on the computer 12, because such a transfer is easily to carry out by implementing the many data transferring techniques using well known communication mechanisms, such as a universal serial bus RS232, Bluetooth radio frequency wireless communications protocol, and IEEE 802.11 standard, for providing a comprehensive and consistent set of user preferences for enabling the user conveniently and effectively interface with an remote computer.

4. Regarding claims 16, 19-22 and 25-27, which are method claims and a computer program claims corresponding to the apparatus claims 1, 4 and 6-7, and are rejected on the same basis set forth in claims 1, 4 and 6-7 discussed above.

5. Claims 3, 11, 17, 18, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mital (U.S. Patent 5,878,282) in view of Allport (U.S. Patent 6,256,019).

Mital teaches generally all except for the retaining and restoring of the original user application preferences after disconnecting the pointing device from the second device, and password protection. Allport teaches a computer 10 (a controller 10) comprising a password protection feature for log-on procedure using a user identification, and software algorithms or databases for the retaining and restoring of the original user application preferences (the first user's preferences) after the second user terminating the interfacing with the controller, col. 3, lines 22-47, and col. 6, lines 50-65. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Allport and Mital for producing the claimed invention because this would provide an improved computer system that is capable of preventing unauthorized users from gaining access thereto, and is adapted for use by different users very quickly and easily, see Allport, abstract, col. 3, lines 59-61. Claims 3, 11, 17, 18, 23 and 24 are dependent upon the based claims 1, 16 and 22, and are therefore rejected on the same reasons set forth in claims 1, 16 and 22, and by the reasons discussed above.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mital (U.S. Patent 5,878,282) in view of Banerjee et al (U.S. Patent 6,292,181).

Mital teaches generally all except for a touch sensitive panel interface. Banerjee et al teach a touch sensitive panel interface 100 with a host computer 101 for transceiving data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the touch panel as taught by Banerjee et al in the Mital pointing device because this is a readily available device, i.e. Palm top PDA, which is compact and convenient to use. Claim 10

Art Unit: 2674

is dependent upon claim 1, and is therefore rejected on the same reasons set forth in claim 1, and by the reasons discussed above.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 3-4, 6-11, and 14-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is (703) 308-8410. The examiner can normally be reached on Mon - Fri from 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A. HJERPE, can be reached at (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Art Unit: 2674

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office Whose telephone number is (703) 306-0377.

Henry N. Tran

HENRY N. TRAN
Examiner
Art Unit 2674

hnt
October 23, 2003